

## NOTICE OF EMERGENCY RULE REPEAL AND PROMULGATION

AGENCY: Department of Marine Resources

STATUTORY AUTHORITY: 12 M.R.S.A. Sections 6172 and 6192

**RULE REPEAL AND PROMULGATION:** DMR Regulation 95.09 G3, Closed Area No. 56-J, Sipp Bay, Perry and Pembroke, promulgated on December 30, 1991, is repealed and replaced with the following rule:

**TEXT OF RULE: DMR Regulation 95.09 G3, Closed Area No. 56-J, Sipp Bay, Perry and Pembroke.**

Effective immediately, because of pollution, it shall be unlawful to dig, take or possess any clams, quahogs, oysters, mussels and other marine mollusks from all shores, flats and waters of the northern arm of upper Sipp Bay north of a line starting at a red painted post at the point where the Pembroke-Perry town line crosses the north shore of Sipp Bay, east-northeast to a red-painted post on the opposite un-named point.

Violation of any provision of this regulation shall be a Class D Crime (12 M.R.S.A. 6204).

EFFECTIVE DATE: December 19, 1996

AGENCY CONTACT PERSON: Paul Anderson  
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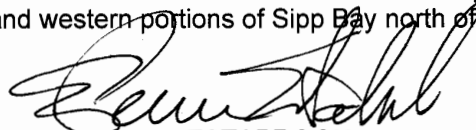
NEWSPAPER  
Bangor Daily News  
DATE December 23, 1996

### STATEMENT OF FACT AND POLICY

The Commissioner of the Maine Department of Marine Resources repeals the emergency DMR Regulation 95.09 G3, Closed Area No. 56-J, Sipp Bay, promulgated on December 30, 1991, and enacts a new regulation. This new rule prevents the taking of clams, quahogs, oysters and mussels from the shores, flats and waters of upper Sipp Bay, Perry and Pembroke, (northern arm, so called) north of a line starting at the point where the Pembroke-Perry town line crosses the northern shore of Sipp Bay, east-northeast to a painted post on the nearest opposite un-named point.

Department personnel have sampled and surveyed the waters of the northern arm of Sipp Bay and found this closed area is subject to intermittent microbiological pollution. As a consequence the harvest of clams, mussels, oysters and quahogs must be prohibited to protect the public health.

The size of this closed area is now reduced in size due to the determination that no known public health risk impacts the shellfish in the southern, eastern and western portions of Sipp Bay north of Sipp Narrows.

  
E PENN ESTABROOK  
Deputy Commissioner

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# Department of Marine Resources

## Legal Notice of Shellfish Closure Area 56-J

### Sipp Bay, Pembroke-Perry

DEC-19-1996 12:25

207 667 3972

99%

P.01

TOTAL P.01

